

Exhibit “A”

FILED: BRONX COUNTY CLERK 11/23/2020 05:09 PM

RECEIVED NYSCEF: 11/23/2020

NYSCEF DOC. NO. 1

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX-----X
JACQUELINE WILLIAMS,

Plaintiff,

-against-

VENTURE TOURS, INC. and RUSSELL C. WEAVER,

Defendants.
-----X

To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance on the Plaintiff's Attorney within 20 days after service of this summons, exclusive of the day of service (or within 30 days after service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against by default for the relief demanded in the complaint.

Dated: Melville, New York
November 16, 2020

Yours, etc.


ZLOTOLOW & ASSOCIATES, P.C.

Attorneys for Plaintiff

58 S. Service Road, Suite 130

Melville, New York 11747

Tel: (631) 396-7400

By: Scott J. Zlotolow, Esq.

sz@zlotlawyers.com

Index No.: _____

Date Purchased: _____

Plaintiff designates
BRONX COUNTY
as the place of Trial.

The basis of venue is:
Plaintiff's Residence

-SUMMONS-

Plaintiff resides at:
1408 Webster Avenue
Bronx, NY 10456

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DEFENDANTS' ADDRESSES:

VENTURE TOURS, INC.
600 S. Military Highway
Virginia Beach, VA 23464

RUSSELL C. WEAVER
925 Grandy Drive
Chesapeake, VA 23322

PLEASE FORWARD TO INSURANCE COMPANY

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**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX**

-----X
JACQUELINE WILLIAMS,

Index No.:

Plaintiff,

-against-

VERIFIED COMPLAINT

VENTURE TOURS, INC. and RUSSELL C. WEAVER,

Defendants.
-----X

Plaintiff, by her attorneys, Zlotolow & Associates, P.C., as and for the Verified Complaint against the Defendants, alleges upon information and belief as follows:

AS AND FOR THE FIRST CAUSE OF ACTION

1. At all times hereinafter mentioned, the Plaintiff, JACQUELINE WILLIAMS, was and still is a resident of the County of BRONX, State of New York.
2. That at all times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., was and still is a foreign corporation duly authorized to conduct business in the State of New York.
3. That at all times mentioned herein, upon information and belief, the Defendant, VENTURE TOURS, INC., conducted and carried on business in the County of Bronx, State of New York.
4. That at all times mentioned herein, upon information and belief, the Defendant, VENTURE TOURS, INC., transacted business within the State of New York.

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5. That at all times mentioned herein, upon information and belief, the Defendant, VENTURE TOURS, INC., transacted business within the State of New York or contracts anywhere to supply goods or services in the State of New York.

6. That at all times mentioned herein, upon information and belief, the Defendant, VENTURE TOURS, INC., regularly does or solicits business, or engaged in any other persistent course of conduct or derived substantial revenue from good used or consumed or services rendered in the State of New York and/or expected or should have reasonably expected its acts to have consequences in the State of New York and derives substantial revenue from interstate or international commerce.

7. That at all times mentioned herein, upon information and belief, the Defendant, RUSSELL C. WEAVER, transacted business within the State of New York or contracts anywhere to supply goods or services in the State of New York.

8. That at all times mentioned herein, upon information and belief, the Defendant, RUSSELL C. WEAVER, regularly does or solicits business, or engaged in any other persistent course of conduct or derived substantial revenue from good used or consumed or services rendered in the State of New York and/or expected or should have reasonably expected its acts to have consequences in the State of New York and derives substantial revenue from interstate or international commerce.

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9. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., was the registered owner of a certain motor vehicle bearing State of Virginia registration number 66-901P.

10. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., was the titled owner of a certain motor vehicle bearing State of Virginia registration number 66-901P.

11. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., leased a certain motor vehicle bearing State of Virginia registration number 66-901P.

12. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., managed a certain motor vehicle bearing State of Virginia registration number 66-901P.

13. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., controlled a certain motor vehicle bearing State of Virginia registration number 66-901P.

14. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, VENTURE TOURS, INC., maintained a certain motor vehicle bearing State of Virginia registration number 66-901P.

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15. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER, operated said motor vehicle bearing State of Virginia registration number 66-901P.

16. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER, controlled said motor vehicle bearing State of Virginia registration number 66-901P.

17. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER, was employed by Defendant, VENTURE TOURS, INC.

18. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER, operated said motor vehicle bearing State of Virginia registration number 66-901P in the course and scope of his employment with Defendant, VENTURE TOURS, INC.

19. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER, operated said motor vehicle bearing State of Virginia registration number 66-901P with the consent and permission of Defendant, VENTURE TOURS, INC.

20. Upon information and belief, at all the dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER, maintained said motor vehicle bearing State of Virginia registration number 66-901P.

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21. At all dates and times hereinafter mentioned, the Plaintiff, JACQUELINE WILLIAMS was a lawful passenger in the motor vehicle bearing State of Virginia registration number 66-901P and being operated by Defendant, RUSSELL C. WEAVER.

22. Upon information and belief, at all dates and times hereinafter mentioned, the Defendant, RUSSELL C. WEAVER operated and controlled a motor vehicle bearing State of Virginia registration number 66-901P, on Dupont Boulevard, at or near its intersection with Old Landing Road, in the Town of Millsboro, County of Sussex and State of Delaware.

23. Upon information and belief, at all dates and times hereinafter mentioned, non-party, Steven Escaravage, operated and controlled a motor vehicle bearing State of Maryland registration number 7DS5405 on Dupont Boulevard, at or near its intersection with Old Landing Road, in the Town of Millsboro, County of Sussex and State of Delaware.

24. That on or about the 30th day of November 2019, at approximately 9:50 A.M., the aforementioned motor vehicles were involved in a collision.

25. That on the 30th day of November 2019, at approximately 9:50 A.M., at the aforesaid location, the Plaintiff, JACQUELINE WILLIAMS, was caused to be injured by the Defendants due to the operation and control of said motor vehicle, by reason of the negligence, carelessness, and recklessness of the Defendants.

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26. That the Defendants, its agents, servants and/or employees were negligent, careless and reckless in the ownership, operation, maintenance, management and control of its motor vehicle; in failing to be reasonably alert; in failing to exercise and maintain reasonable and proper control over said motor vehicle; and was otherwise careless, reckless, and negligent causing the within occurrence and the resultant injuries to the Plaintiff, JACQUELINE WILLIAMS.

27. As a result of the foregoing, the Plaintiff, JACQUELINE WILLIAMS, was caused to be rendered sick, sore, lame and disabled; was caused to suffer great pain; was and is internally and externally injured; will continue to endure great pain and suffering; and has sustained and will continue to sustain special damages, all to her damage.

28. That the foregoing was caused through and by reason of the negligence, carelessness, and recklessness of the Defendants, its agents, servants and/or employees.

29. That the aforementioned was caused through no fault or lack of care on the part of JACQUELINE WILLIAMS, contributing thereto.

30. That this action falls under one or more of the exceptions contained in C.P.L.R. Section 1602.

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WHEREFORE, the Plaintiff demands judgment awarding damages in an amount exceeding the monetary jurisdictional limits of all lower courts which would otherwise have jurisdiction, together with interest and the costs and disbursements of this action, and such other and further relief as to this Court seems just and proper.

Dated: Melville, New York
November 16, 2020

Yours, etc.



ZLOTOLOW & ASSOCIATES, P.C.

Attorneys for Plaintiff

58 S. Service Road, Suite 130

Melville, New York 11747

Tel: (631) 396-7400

By: Scott J. Zlotolow, Esq.

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-against-

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Defendants.

SUMMONS AND VERIFIED COMPLAINT

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58 S. Service Road, Suite 130
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